

Minutes of Meeting  
Armstrong Community Development District

The regular meeting of the Board of Supervisors of the Armstrong Community Development District was held Thursday, September 14, 2023 at 3:30 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida.

Present and constituting a quorum were:

Kendrick Taylor	Chairman
Cameron Brown	Vice Chairman
Christine Bowen	Supervisor
Jorge Vergara Molero	Supervisor

Also present were:

Marilee Giles	District Manager
Katie Buchanan	District Counsel by telephone
Jay Soriano	GMS, Operations
Ryan Wilson	RMS
Several Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Giles called the meeting to order at 3:30 p.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment**

A resident asked what is going on with the amenity center policy updates?

Mr. Taylor stated I emailed Marilee a few weeks ago about the rental policy and that is something that I want to discuss today. We need to discuss the cost of renting the facility.

A resident asked does that include the overnight parking?

Mr. Vergara Molero stated that has already been discussed.

A resident stated so this is in conjunction with the email blast Ryan sent out about the cost of the facility.

Mr. Vergara Molero responded yes.

A resident asked what areas does that cover? Does that cover vendors in particular? What is the quality inspection report?

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Mr. Soriano stated that is landscaping.

Ms. Giles stated there is a requirement for the landscapers to provide with onsite staff a quality inspection report every month.

A resident asked do we have access to that?

Mr. Soriano stated they provide it to us and if you have a question on services, you can always come to us in the office. It is public information and we can email it to you. We don't always put it in the agenda package so as not to add another 30 – 40 pages to the agenda package.

Mr. Vergara Molero stated at the last meeting was for supervisors to take on an active role in specific areas.

A resident asked will the homeowners have a list of what supervisors are handling what vendors?

Ms. Giles stated that is listed on the agenda on page 2, board oversight and the discussion at the last meeting was how the supervisors want to divide that up amongst themselves and the onsite staff. No decisions can be made outside of the public meeting, but it allows the onsite staff to have a supervisor to talk to during the month. From experience Jay recommended these four areas, amenity center, security, landscape and common areas but the board can change it to anything they want.

A resident stated I have an issue with the landscape crew cleaning up after mowing.

Mr. Vergara Molero stated we have been discussing that for the last few meetings.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Resignation from Supervisor O'Reilly**

On MOTION by Vergara Molero seconded by Ms. Bowen with all in favor Mr. O'Reilly's resignation was accepted.

**B. Appointment of New Supervisor to Fill Unexpired Term of Office (22/2024)**

**C. Oath of Office for Newly Appointed Supervisor**

Items B and C were tabled and staff was authorized to send an eblast to notify the residents of the vacancy.

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**D. Resolution 2023-07 Election of Officers**

On MOTION by Vergara Molero seconded by Mr. Taylor with all in favor Mr. Taylor was appointed chairman.

Mr. Vergara Molero moved to appoint himself as vice chair, Mr. Taylor seconded the motion and on voice vote with two in favor and Mr. Brown and Ms. Bowen opposed the motion failed.

Mr. Brown moved to appoint himself as vice chair, Ms. Bowen seconded the motion and on voice vote with three in favor and Mr. Vergara Molero opposed the motion passed.

Ms. Giles stated also on the resolution with no change, there is myself as secretary and treasurer, Daniel Laughlin, James Oliver, Darrin Mossing and Howard McGaffney as assistant secretaries and assistant treasurers.

On MOTION by Ms. Bowen seconded by Mr. Brown with all in favor Resolution 2023-07 reflecting the above-mentioned officers was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the August 10, 2023 Meeting**

On MOTION by Mr. Taylor seconded by Ms. Bowen with all in favor the minutes of the August 10, 2023 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Discussion of Amenity Facility Policy Updates**

Ms. Giles stated I brought this back for two reasons, one, you recently went through the new suspension and termination rules so we added that to your amenity facility policy. We cleaned up some of the formatting and basic administrative corrections that were required and added a nice picture to the front. At any time without a public hearing the board can work with staff to make administrative changes to the policy, if you want to update the ages at the gym or at the pool or any of those types of changes. Anything with a rate increase would involve a public hearing. Supervisor Taylor emailed me since the last meeting and wanted to discuss the rates. This is the

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board's opportunity to talk about any other changes that were made, changes they want to make and Supervisor Taylor will make his comments.

Mr. Taylor stated I emailed Marilee about the one thing we asked GMS to do was to enforce everything the way it is. I know there was a lot of backlash. I think \$250 is a little steep for residents who already pay certain fees, because I also noticed in here non-resident listed multiple times in the policy as well. I think the fee should be \$75 for four hours to rent the facility.

Mr. Brown asked is everyone on the board okay with lowering it?

Mr. Vergara Molero stated I'm not against it. \$250 is way up there compared to what is out there. If we want residents to use the facility we want to make sure they are secure and clean but also accessible for these types of events. The previous company did not enforce the rules and interpretation of what first come first served means. Renting the pavilion gives you a covered area but it doesn't give you the whole thing.

Mr. Wilson stated everything that is covered you are entitled to it if you rent this out for four hours that includes setting up and cleaning. The deposit is \$250.

Mr. Soriano stated the deposits are generally pretty high and you can have a low rental. You can keep a deposit, but you don't want to go so low that it creates a problem by devaluing your facilities. We get a lot of people who come in when we have those low cost facilities, they just don't really care about the facility and it ends up being damaged and that is why we make sure we have those high deposits. You also have to make sure that staff is checking the next day, if nothing is damaged fine, we keep the security deposit if it is. If they cause cleanup issues it makes it tough on our residents who aren't part of the event. If you have a party and it gets boisterous, and you don't want to clean up and don't care about the \$250 then the place is a mess. Your event was on Saturday and there may not be someone here until Monday to start cleaning up. We recommend that you not drop your rates too low or keep that security deposit high so people understand there is a value to that facility.

Ms. Bowen stated if you drop it too low you are devaluing the facility. I'm not opposed to lowering it but don't go too low.

Mr. Taylor asked what is a fair price to lower it to? I'm okay with keeping the security deposit the same because if you rent it and clean it up your security deposit isn't going to get cashed. That is no money out of their pocket.

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Ms. Bowen stated I think our rules need an overview and edit because there are things in here that are not being enforced and some of that ties into the rental program. Someone there to make sure it is clean and if it is rented on Saturday or Sunday it is not going to get checked until Tuesday so who is to verify that the homeowner cleaned and it wasn't left a mess. We need to take a good look at our rules. It says we have five guest passes, where are they, how are they being checked, are they one-time use and you have to buy new ones? There are things in here that we don't do, we either need to take them out or find ways to make sure we are enforcing them.

Mr. Soriano stated we talked before about some of the areas that we don't have a way to enforce them since staff may not be there all the time. For rates we have to do a rate hearing. Right now it is a little high and you can only bring it down but there is a way to do a spread.

Ms. Giles stated if the board is interested in lowering it or doing a spread, since either of those is lower than what we have, would we have to do a rate hearing?

Ms. Buchanan stated I don't believe you would have to do a rate hearing to lower the rates. My understanding is that if you are going to increase it or impose it for the first time we would need to do a rate hearing, but if you have already established a rate and want to do something lower than that, I think you can do that with a vote of the board. If you are changing the structure where you have a tiered product, that would be a new approach and I suggest we do a public hearing for that type of change.

Ms. Giles stated it is on here for discussion, you don't have to make a decision today but two good amenity policies I'm familiar with is Pine Ridge Plantation and Ridgewood Trails just did an overhaul of their policies. You can get to either one of those by Googling Pine Ridge Plantation CDD or Ridgewood Trails CDD. If you don't like those and want a recommendation for some more let me know. I can keep it on the agenda and we can continue this discussion next month.

Mr. Vergara Molera stated I agree we need to rewrite the rules for the CDD and that is Christine's area of expertise.

Ms. Giles stated we can help her with that.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of Requisition Regarding Series 2019A Construction Account**

Ms. Buchanan stated I will give an overview of the next two items because they are related. Bonds were issued to construct infrastructure improvements for the new community. The district

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has two series of bonds, the 2017 bonds and 2019 bonds. Right now we are only talking about the 2019 bond. The bonds were issued and money was deposited into two accounts specifically the construction fund and the debt service reserve fund. The construction fund is the holding account for the money that the district used to pay for the infrastructure improvements. That has been depleted for a while now because most of the infrastructure improvements were done a couple of years ago. The reserve fund has stayed at the same level and it is tied to the district's debt service payment so that is what the district has to pay every year to service the bonds. That debt service fund was put into play as security for the bondholders and it mitigates some of the risk while the property is being developed if the developer goes into default the bondholders can use money in that reserve fund and foreclose the property if the developer doesn't make payments or use that money to pay themselves on a short-term basis. It is a mitigation account basically, but at this point in the community's lifespan all the lots are developed and I believe all of them are owned by end users so there is really no risk to mitigate because everybody now pays their special assessments on the property tax bill every year and it is a more reliable stream of revenue. Understanding where the district's life is at now the contract between the district and the bondholders require that when we get to this point where everyone is paying the bills on the tax bill, that debt service reserve fund is reduced by half and the extra money is put in the construction account for use on improvements. We have a little over \$200,000 that is available for use on construction improvements. The developer has come to us and asked that the district use that money to pay for the second lift of asphalt that was recently installed. Invoice the trustee to pay the developer for the money that was spent on the asphalt lift. Understand that the asphalt lift costs \$356,000, we only have \$211,000 available to spend. It doesn't mean that the developer is reimbursed for that difference. Even though they paid \$356,000 and we only have \$211,000 we do not have to assess anybody more to pay that difference. They are only entitled to the money in the construction account. That is what the requisition does.

Mr. Taylor asked that will go to the developer for the asphalt but if we discover other developmental issues with our property how do we handle that? One thing I will bring up is there are a couple areas that hold water, we had Zach assess it and he believed the grading was off. Since that is district property we would be responsible for it, but I feel that should be a developer issue because that is the way it was graded.

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Ms. Buchanan stated I am not familiar with it. Is it grading from lot grading from when the house went up or is it part of the roadway system?

Mr. Taylor stated it is between the sidewalk and the roadway, it is district property.

Mr. Soriano stated it is not district property, it is county right of way, but we maintain it. Today it is underwater. I know the county won't come out and make a change to the sidewalk.

Ms. Buchanan stated if it is not our property we can't make adjustments to it without the owner's consent. It is something the county would have to agree for us to do.

Mr. Taylor stated I don't feel that it should be the responsibility of this body and our budget; that is something that should have been caught during development. It is phase 1 directly across from the amenity center.

Ms. Buchanan stated we are well out of the warranty period for Phase 1, and I will also say that I think it is a district project to oversee and any deficiency would be a district responsibility compared to something the developer paid for and we acquired it from them.

Ms. Bowen asked would it hurt to ask the developer? It's not like they didn't know about it.

Ms. Buchanan stated we can certainly ask. I can't speak for the developer, it seems like they had \$20,000 in their construction account for the 2017 bond. The 2019 bonds are separate from the 2017 bonds and you might be able to pursue this on a parallel path.

Ms. Giles stated Jay and Ryan are trying to get a proposal to fix this. When they get that proposal that is something we can present under the 2017 funds to see if the developer will pay.

Ms. Buchanan stated the requisition identifies the amount of money that is going to be paid, where it comes from, the construction account and who it is paid too, which would be Greyhawk Ventures LLC, it is certified by the district engineer so he has confirmed that the work that was done was part of the district improvement plan. Attached to the requisition is the bill of sale, which conveys the paving work from Greyhawk Ventures, LLC to the district.

Mr. Vergara Molero asked do we have confirmation all the asphalt repairs are completed?

Ms. Giles stated I think there is a little bit of asphalt that needs to be cleaned up.

Mr. Brown stated there is a lot of cleanup on the three back streets they did, there is asphalt in the gutters everywhere.

Ms. Giles stated Katie and I both reached out to have that cleaned up.

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Mr. Taylor stated another random thing, a few of the little ground reflectors by the fire hydrants are missing.

Ms. Giles stated Jay and Ryan can do that.

Mr. Taylor stated it sounds like they just did the work, but it is not done because it is not cleaned up. They should come back and finish the cleanup and put the reflectors down before the job is 100% done.

Ms. Buchanan stated once you approve this it essentially authorizes the money to be released. The person who took Liam's place confirmed that they were going to have a person go out and look at it next week and if they thought it was unacceptable, they would have someone come back and repair it or remove the excess. It wasn't a promise to get it pristine, but he wasn't opposed to coming back and fixing it if he thought it warranted. I'm not trying to overpromise on their behalf by any means.

Ms. Bowen stated I don't think we should release the payment until we know they have fixed all these issues.

Mr. Vergara Molero stated we reported to them that we had these issues and they have not fixed them. Unless Katie tells us we need to approve this today I don't think we should approve it.

Ms. Giles stated they can table it or approve it in substantial form with a particular supervisor to work with staff to verify the cleanup has happened and once that supervisor is satisfied we execute the document.

Ms. Buchanan stated that is correct.

Mr. Soriano stated you know how it is when they do asphalt there is going to be loose material and "acceptable" is a little subjective. I feel more comfortable with hearing from more than one supervisor saying it is acceptable.

Mr. Vergara Molero stated we will table this.

Ms. Buchanan stated we will table the resolution as well. I understand you want to get it cleaned up and I am not discouraging you, I want everyone to understand that eventually we have an obligation to accept the road and we can go back and forth with them about the conditions of the improvements we are accepting, which is what we are doing now.



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**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-14  
Declaring the Series 2019A Project Complete**

This item tabled.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being none, the next item followed.

**B. District Engineer – Work Authorization No. 11 General Consulting Services**

On MOTION by Mr. Taylor seconded by Mr. Brown with all in favor work authorization no. 11 was approved.

**C. District Manager**

There being none, the next item followed.

**D. Facility Manager**

**1. Report**

Mr. Soriano reviewed the items on the operations report and discussed obtaining bids for lake maintenance, aeration of the ponds, stocking the ponds, clock tower area holding water, notify two homeowner they need to take care of their property.

**2. Monthly Quality Inspection Report**

**NINTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience  
Comments**

Additional supervisor comments: security at the pool and amenity, pool hours dawn to dusk set by health department, clarify to security that people can use the pool deck after dusk, reach out to county commissioners on speeding, potential location of bulletin boards.

Additional resident comments: trash in ponds, possibly adding a fountain to the pond, signage, condition of pond on Amberly, culverts, fountains/aerators, actions between meetings, landscape clippings going into the ponds, missing street signs, contact board members individually with issues, trees growing on side of the pond, issues with ingress/egress to amenity center, need

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a higher fence, limit access points to amenities, ID cards, post pool results, drains from backyards, good progress made since new people have taken over, notify staff when contractors are not doing their job, do not put bulletin board in pool area, put bulletin board in more visible area, remove trees by pond, evening meetings, holidays should be blacked out for rentals, public participation in meetings, eblast to remind residents of meeting, open gym from 3 a.m. to 10 p.m., access to amenity.

**TENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Financial Statements as of August 31, 2023**

A copy of the financials was included in the agenda package.

**B. Check Register**

On MOTION by Mr. Taylor seconded by Ms. Bowen with all in favor the check register was approved.

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – October 12, 2023 at 3:30 p.m. at the Plantation Oaks Amenity Center**

Ms. Giles stated the next meeting will be held October 12, 2023 at 3:30 p.m. in the same location.

On MOTION by Mr. Vergara Molero seconded by Mr. Taylor with all in favor the meeting adjourned at 5:32 p.m.

DocuSigned by:  
*Marilee Giles*  
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Secretary/Assistant Secretary

DocuSigned by:  
*[Signature]*  
AF1D0F9DA28E4E4...  
Chairperson/Vice Chairperson